

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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JOAN RITCHIE SILLECK, ET AL.,

Plaintiffs,

-v-

PEPSICO, INC.,

Defendant.  
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USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
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DATE FILED: 3/15/13

12 Civ. 3556 (JMF)

ORDER OF DISMISSAL

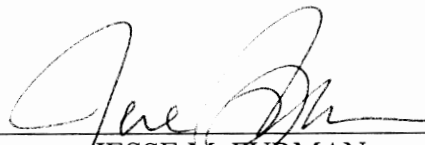
JESSE M. FURMAN, United States District Judge:

The Court having been advised in the attached letter that all claims asserted herein have been settled, it is ORDERED that the above-entitled action be and is hereby dismissed and discontinued without costs, and without prejudice to the right to reopen the action within thirty (30) days if the settlement is not consummated. Any pending motions are moot. All conferences are vacated.

The Clerk of Court is directed to close the case.

SO ORDERED.

Dated: March 15, 2013  
New York, New York

  
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JESSE M. FURMAN  
United States District Judge

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March 15, 2013

**By E-Mail**

The Honorable Jesse M. Furman, U.S.D.J.  
United States District Court for the  
Southern District of New York  
Daniel Patrick Moynihan U. S. Courthouse  
500 Pearl Street  
New York, New York 10007-1312

Re: *Silleck v. Pepsico, Inc.*, Case No. 12 Civ. 3556 (JMF)

Dear Judge Furman:

We represent Defendant Pepsico, Inc. in the above-captioned matter. We write on behalf of all parties to this action to advise the Court that the parties are close to reaching a settlement that would resolve this litigation in its entirety. In view of the foregoing, the parties respectfully request that Defendant be allowed to withdraw its motion to dismiss without prejudice and that the action be stayed for thirty days while the parties work on finalizing the settlement.

Respectfully submitted,

*/s/ Joshua I. Sherman*

Joshua I. Sherman

cc: Stuart J. Sinder, Esq., and Elizabeth A. Gardner, Esq., attorneys for Plaintiffs